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## A Land Sale Contract in Kharoṣṭhī Script: National Library of China Collection, No. BH5-3<sup>1</sup>

DUAN Qing 段 晴 (Beijing)

Kharoṣṭhī wooden tablet No. BH5-3 is 9.7 cm wide, 17.8 cm long, and about 1.3 cm thick. The under tablet is thicker on both sides and thin in the center, and the cover tablet fits snugly inside it. There is a small hole in the center of the cover tablet, and three lines are carved on either side of the hole. Their function was to hold in place the hemp ropes that tied the two tablets together. The hemp ropes were wrapped around the two parts, and then tied with a knot over the hole, which was then sealed with clay.

The Kharoṣṭhī characters were written on the upper side of the under tablet. In the case of longer inscriptions, the text was continued on the inner side of the cover tablet, as seen in the half line on BH5-3b. A brief note was normally written on the outside of the cover tablet to indicate the content of the tablet. However, it is not possible to determine whether there was once such a note on the outside of BH5-3.

This form of tablet is named *kilamudra* (or *kilamumtra*, *kilamutra*, etc.) in Kharoṣṭhī, and was usually used for contracts. As a result, documents of this kind are called *kilamudra* contracts, to differentiate them from other Kharoṣṭhī documents.

### Transcription

No. BH5-3 c (upper side of under tablet):

1. saṃvatsare 4 4 mahanuava maharaya jīṭumgha vaṣmana devaputraṣa mase 10 2  
divaṣe 4 3 iśa cḥunaṃmi
2. cokto pgita kurora bhuma aḍini bhiḥa milima 3 tsuriteya suḡitaṣa ca vaṃti vikrita  
mulī vyala
3. uṭaṇa tsuriteya suḡitaṣa ca ditaṃti cokto pgita nita puraṭha rajadharagana cozbo  
kranaya ṣoṭhaṃgha līy-
4. peyaṣa ca niḥeya kiḍaṃti aja cḥuna upātaya se buma tsurite suḡidaṣa ca tanuṇaga huta  
eśvari huta va-
5. vaṃnae kriṣaṃne aṃṇaṣa laṣinaṃ maṃni deyaṃṇae sarvakaraṃnena eśvari  
bhaveyati yathakama kaṃraṇi siya-

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<sup>1</sup> This article is the English version based on the Chinese one which will be published in 西域文史 (第六辑) (*Literature & History of the Western Regions*. Vol. vi), 北京: 科学出版社, (forthcoming).

I owe many thanks to Dr. Helen Wang, Curator of East Asian Money Dept of Coins and Medals of the British Museum, who has kindly made revisions of the English version.

6. ti ko paçima kalammi içheyati eta aṃñatha karaṇae rayadvarammi muhacotaṃna apamana bhaveyati daṃḍa pra-
7. ptaṃ taṃ catuvarṣaga śaṃḍa aśpaṇa<sup>2</sup> prahara satati sarva eta daṃḍa prapta paḍicheyati emu eta bhaveyati yatha u-
8. pari lihitaḡa eta bhumaṣa śima pradeja purāthimade dirga ca ulgeyaṣa bhuma aṃṇusaṃdi daçhiṃnade lyaṃgeyaṣa
9. bhuma aṃṇusaṃdi paçimade peta aṇaṇemciyaṣa bhuma anusaṃdi utarade masimci bhuma aṃṇusaṃdi adra ca saçi

**No. BH5-3 b** (inner side of cover tablet):

1. cozbo lyaṃsu toṃgha suḡita kiṃtra suḡitaṣa

### *Translation*

(1)In the 8th year of his majesty the great king Jitugha Vaṣmana son of heaven, in the 12th month, on the 7th day, in this reign, (2)Cokto Pgita sold farm land with (a capacity for) seed-corn of 3 milima of aḍini to Tsurite and Suḡitaṣa, at a price of one wild camel. (3)Tsurite and Suḡitaṣa gave (the price). Cokto Pgita received (it).

Before the royal administrators, cozbo Kranaya and ṣothaṃgha Lyaṃpeyaṣa (4)made a decision:

From today, this land becomes the property of Tsurite and Suḡitaṣa, and they have full power. (5)To sow, to plant, to give to other people as a precious present, they shall have full power to do all deeds; they shall do things as they wish. (6)Should anyone at a future time wish to do otherwise, his speeches at the king's court will have no authority, and he will receive punishment: (7)a four year old gelding, and a beating of seventy lashes. All these punishments will be received. It will be such as (8) written above.

The border of this land is from east of Ulgeya's land, south of Lyaṃgeya's (9)land, west of the land of Peta Aṇaṇemciya, and north of Masimci's land.

And witnesses here are: (b1)cozbo Lyaṃsu, toṃgha Suḡita, Kiṃtra Suḡitaṣa.

### *Discussion on words*

The kilamudra contract BH5-3 records a sale of land. Cokto Pgita is the seller, and there are two buyers. The price is a wild camel. The transaction is clear, but some words need to be discussed:

*kurora bhuma aḍini bhija milima 3*

“farm land with (a capacity for) seed-corn of 3 milima of aḍini”.

On *kurora bhuma*: “farm land”. *Kurora* is connected with Persian *kurār*, meaning ‘a plot of land with a raised border prepared for sowing’<sup>3</sup>. *Kurora* here shows that the land

<sup>2</sup> Traditionally read as ‘aṇsa’. But it is clear on the photo to read an emphasized *-pa*, thus I suggest to read *-śpa*.

<sup>3</sup> Burrow, T., 1935 p. 780.

sold was not waste land, but farm land that had been cultivated.

On *aḍini bhija*: *aḍini* is a kind of grain, but not a kind of seed “籽种”<sup>4</sup>. *bhija* is linked with Skt. *bīja* “seed”, or in general, “grain”. A similar expression is seen in other documents, such as No. 579:

*akri bhuma vikrida aḍini bhijapayati milima 1 khi 10*

which Burrow translated as:

“akri land ...with a capacity for seed of one *milima* ten *khi* of *aḍinni*”.

Burrow equated *bhija payati* in No. 579 with Skt. *bīja-paryāpti*- ‘capacity for seed’. He explained that land is measured by the amount of seed it will take to cultivate it<sup>5</sup>. This is an awkward way of understanding *bhija payati*; it is more usual to think in terms of the yield of farm land. The Skt. *paryāpti* “gain”, means “capacity, competence” in compound words, and it may be more appropriate here to think in terms of the yield capacity rather than the seed capacity. If so, the land mentioned in No. 579, would have a capacity for (yielding) seed-corn of one *milima* ten *khi* of *aḍini*.

According to Burrow, 1 *milima* equals 20 *khi*. *Khi* is equivalent to Khotanese *kha*<sup>6</sup>, which is equal to the Tang dynasty “斗” *dou*, according to bilingual materials. The sale of land in BH5-3 took place in the Jin dynasty, and the Jin *dou* was equivalent to one-third of the Tang *dou*. Let us suppose that the *khi* here equals the *dou* of the Jin dynasty.<sup>7</sup> If we take millet as an example (as we are not sure about *aḍini*), and follow Wu Zhen’s reckoning that 1 *dou* of millet in Jin weighed about 1 kilogram<sup>8</sup>, then we can make some calculations about the land sold in BH5-3. This piece of farmland had a capacity for 3 *milima* of seed-corn. Following Wu Zhen’s reckoning, that would be the equivalent of 60 kg (3 *milima* = 60 *khi* = 60 *dou* [Jin dynasty] = 60 kg). If we apply the same reckoning to No. 477, in which peasants under 6 *daśavitas* gave 7 *milima* and 17 *khi* to a monk, we calculate a total of 157 kg (7 *milima* 17 *khi* = 157 *khi* = 157 *dou* [Jin dynasty] = 157 kg). This means that the yield of farmland in ancient Shan-shan was rather poor so that this amount must be shared among peasants. Accordingly, 60 kg seems to be too large an amount to be considered as seed. If in BH5-3 the amount of 3 *milima* refers to seed, then the area of the land would be 30 to 40 acres since we know from general knowledge that 1.5 kg to 2 kg of millet seeds make the maximal amount for sowing 1 acre. 60 kg of seed would mean the area of land was 30 to 40 acres, in which case the price (one wild camel) seems too low. But if the 3 *milima* refers to the yield, then the area of the land would be 2 acres, and the price seems more reasonable.

Thus, I would suggest that the sentence in No. 579 should be translated as follows:

*akri bhuma vikrida aḍini bhijapayati milima 1 khi 10*

“akri land ...with a capacity (for yielding) seed-corn of one *milima* ten *khi* of *aḍini*”.

<sup>4</sup> Cf. KI. No. 579, 222; Burrow, T., 1940, p. 41. “籽种”, see 刘文锁, 2007, p. 92.

<sup>5</sup> For transcription see KI. No. 579; for translation see Burrow, T., 1940, p. 118; for notes see Burrow, T., 1937, p. 110.

<sup>6</sup> For the etymology of *kha*, cf. 荣新江 & 文欣, 《和田新出汉语—于阗语双语木简考释》, in 《敦煌吐鲁番研究》 vol. 11, p. 65. “kha-是塔里木盆地南沿自3世纪、即大部分佉卢文书书写的时代便开始使用的一个量词。”

<sup>7</sup> Calculation based on 《中国经济通史》 by 朱伯康 and 施正康, 1995, pp. 510–1.

<sup>8</sup> Calculation based on 吴震: 《近年出土高昌租佃契约研究》, in 《吴震敦煌吐鲁番文书研究论集》, 上海古籍出版社, 2009, pp. 456–7.

### Vocabulary

Personal names:

**ulgeya:** m. Sing. Gen./Dat. *-sa*.

**kimtra-suḡitaṣa:** A witness.

**kranaya:** A *cozbo*.<sup>9</sup>

**cokto pgita:** The seller of the land. Pgita is quite common in Kharoṣṭhī documents, for example, appeared in the 26th year of king Mairi (KI. §169). Cokto is seen with other names, seen with Pgita only here.

**tsurite:** One of the two buyers of the land. Sing. Gen./Dat. also as *tsuriteya*. Same form in KI. §701. He is the one who bought the land.

**peta aʋanemciya:** m. Sing. Gen./Dat. *-sa*. *avanemciyana* in KI. §162.

**masimci:** not found in other Kharoṣṭhī documents.

**vaṣmana:** King of Shan-shan.<sup>10</sup>

**lýmḡeya:** m. Sing. Gen./Dat. *-sa*.

**lýmīsu:** A *cozbo* and witness.


**lýmīpeyaṣa:** A *ṣoṭhaṃgha*.

**suḡita:** A *tomgha* and witness.

**suḡitaṣa:** One of the two buyers of the land. Also as *suḡidaṣa* (line 4). It is common in Kharoṣṭhī documents, a common name in Shan-shan, see KL. p. 377.

#### Official Titles

**cozbo:** Previously transcribed as *cojhbo*. In Glass's summary of the known Kharoṣṭhī documents, including newly found materials from Afghanistan and China, he suggests that the letter *z* is generally used to render a foreign *z*<sup>11</sup>, instead of MIA *jh*

or Skt. *dhy*. As this title did not derive from Indian languages,  should be transcribed as *cozbo*.

Burrow counted about 40 people with this title, which had judicial and administrative functions<sup>12</sup>. *Cozbo* is generally translated as “州长” *zhouzhang* in Chinese, although there is no conclusive proof for this in the Chinese-Kharoṣṭhī bilingual documents. There is a high likelihood of regional difference between a *zhouzhang* in China and a *zhouzhang* in Kharoṣṭhī documents, thus, if the Chinese term *zhouzhang* is used to translate *cozbo*, notes should be added on the functions of *cozbo*, with comparisons with ancient Indian and Persian official systems.

**jīṭumgha:** a title “侍中”<sup>13</sup>. The kings of Shan-shan called themselves “king among kings”. They also used a Chinese title at the same time. This reveals that the population of ancient Shan-shan consisted of different ethnic groups. The title “king among kings” shows that there were clan-like villages and Chinese people in the

<sup>9</sup> 孟凡人, 2000, p. 137.

<sup>10</sup> 马雍 suggested this king was enthroned around 324 CE. 马雍, 1990, p. 101. See also 孟凡人, 2000, pp. 114-5.

<sup>11</sup> Glass, Andrew, 2000, p. 110.

<sup>12</sup> Burrow, T., 1937, p. 91.

<sup>13</sup> Brough first identified this title. Brough, J., 1965, p. 600.

territory of the same king.

**tomgha:** a title. “督军” (林梅村, 1988, p. 639) . Burrow suggested that a tomgha seemed to be connected with camels and horses, and that his function involved transport or conveyance within the kingdom. Burrow speculated that this title might be a military rank, “captain” (Burrow 1937, p. 95) , perhaps on account on Stein’s Niya table No. 96 which lists many tomghas, who are each in charge of between 14 and 20 people.

**ṣoṭhamgha:** According to Burrow (1937, pp. 127–8), this official was charged with keeping the accounts of taxation and royal property and was appointed by the cozbo. In BH5-3, the ṣoṭhamgha assists the cozbo in making the decision. The decision made by the cozbos and ṣoṭhamghas cannot be repudiated even by the king. Anyone who acts in defiance of this decision will be punished.

Words<sup>14</sup>:

**aja:** Skt. *adya*, “today”.

**aṃṇa:** “other, different”. Sing. Gen. *aṃṇaṣa*.

**aṃṇatha:** Skt. *anyathā*, “otherwise, in a different manner”.

*aḍini*: some kind of grain.

*aṃṇusaṃdi* = *aṃṇusaṃdi*

**adra:** “here”

*aṃṇusaṃdi*: “near, adjacent to”.

**apramana:** “a statement of no authority”.

**aśpa:** Skt. *aśva*, “horse”. Pl. Nom./Acc. *aśpaṇa*.

**as:** “to be, exist, be present”. Opt. Sing. 3rd. *siyati* “to be, exist”.

**iśa:** Skt. *iha*, “here”.

**iṣ:** “to desire, wish, long for”. Opt. Sing. 3rd. *iṣheyati*.

**uṭa:** Skt. *uṣṭra*, “camel”. *uṭaṇa*

*uṭaṇa*: **uṭa**

**utara:** “north, northern”. Abl. *utarade* “from north, to the north”.

**upari:** “above, upwards”.

**upātaya:** “from”.

**eta:** Pron. “this, here”.

**emu:** Skt. *evam*. “such, in this way”.

**eśvari:** “ownership”.

**kaṃraṇi:** “to be done or made or accomplished”.

*karaṇae*: Inf. “to do”.

**kala:** Skt. *kāla*, “time”. Loc. *kalaṃmi*.

*kiḍamti* → **kṛ**

**kurora:** “land for sowing, farmland”.

**kṛ:** “to do”. Past. Pl. 3rd. *kiḍamti*.

*ko*: “who”.

*kriṣaṃne*: Skt. *kṛṣi*, Inf. “to farm, cultivate”.

**khi:** measure of capacity. Khotanese *kha*-.

<sup>14</sup> Boldfaces denote roots or stems of words, and italics denote words with personal endings.

**ca:** “and”

**catu-varṣaga:** “four years old”.

**ḥhuna:** “time, date”. Loc. *ḥhunaṃmi*

*taṃ:* Pron. “this, that”.

**tanuṣaga:** “belonging to the self, one’s own”.

**daṃḍa:** “a stick, punishment”.

**daḥimna:** “southern”. Abl. *ḥhimnade* “from south, to the south”.

**dā:** “to give, offer”. Past. Pl. 3rd. *ditaṃti*

*ditaṃti* → **dā-**

*dirga:* Skt. *diś* “direction”. Abl. not found in Kharoṣṭhī documents. Three rock headstones with Kharoṣṭhī inscriptions were found in Luoyang in the 1920s. The word *caturdiśa* “four directions” is seen on the third headstone. Brough, J., 1961, p. 520-1.

**divaṣa:** “day”. Loc. *divaṣe*

*deyaṃṇae:* Inf. “to give”.

**devaputra:** “son of heaven”. m. Sing. Gen. *devaputraṣa*

**nita:** ppp. “led, obtained”.

*nīceya:* “decision”.

*paḍicheyati:* Opt. Sing. 3rd. Skt. *prati√gam* “to gain in return”.

**paḥima:** “past, in former times”.

**paḥima:** “west, western”. Abl. *paḥimade* “from west, to the west”.

**purathā:** Ind. Skt. *purastāt*, “before, in front”.

**purāthima:** “east”. Abl. *purāthimade* “from east, to the east”.

**pradeja:** “place, spot”.

*praptaṃ:* “attained”.

**prahara:** “striking, a knock”.

**bhija:** Skt. *bīja*, “seed”.

**bhū:** “to be, exist”. Opt. Sing. 3rd. *bhaveyati*.

ppp. **huta**, Skt. *bhūta*, “been, existing”.

**bhuma:** Skt. *bhūmī*, “land”. Sing. Gen. *bhumaṣa*.

**maṃni:** Skt. *maṇi*, “a jewel”

**masa:** Skt. *māsa*, “month”. Loc. *mase*

**mahanuava:** Skt. *mahānubhāva*, “his majesty”.

**maharaya:** “great king”.

**milima:** measure of capacity. 20 *khi* = 1 *milima*.

**mulī:** Skt. *mūlya*, “price”.

**muha-cota:** “speech, verbal expression”. Sing. Instr. *muha-cotaṃna*.

**yatha:** Skt. *yathā*, “as”. *yatha upari* “as above”.

**yathakama:** “according to wish”

**rajadara** = *rajadhara* “royal administrator<sup>15</sup>”.

Pl. Gen. *rajadharagana*, < *rajadharaga*. -ga < affix -ka.

*rajadharagana:* → **rajadara** = *rajadhara*

**rayadvara:** Skt. *rājadvara*, “the king’s gate”. Sing. Loc. *rayadvaraṃmi*

*laṣinaṃ:* Pl. Gen. “present”. The superscript line above *ṣ* represent a following nasal.

<sup>15</sup> Burrow, T., 1940, p. 118.

Burrow, T., 1937, p. 16, §44.

**lihitaga:** “written”. -ga affix.

**vaṃti:** Ind. Usually connected with the seller of *vi√krī* “to sell”.

**vavaṃnae:** Ind. “to sow”.

**vikrita:** ppp. “sold”. from *vi√krī* “to sell”.

**vyala:** Skt. *vyāla*, “vicious”.

**śaṃḍa:** “castrated”.

**saṃvatsara:** “year”.

**satati:** “seventy”.

**sarva:** “all”.

**saḥi:** “witness”

**sima:** Skt. *sīman*, “border”. *bhumāṣa sima* “boundary of a field”.

*siyati* → as

**sarvakaranena:** Sing. Instr. “all deeds, all things”.

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